

REMARKS

INTRODUCTION

In accordance with the foregoing, claims 1, 7, 14, 20, 27, 29 and 32 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-35 are pending and under consideration.

OJECTION TO THE OATH

At numbered paragraph 2, the oath was objected to as being informal. A new declaration under 37 CFR 1.66 is submitted herewith to overcome this deficiency. Withdrawal of the foregoing objection is requested.

OBJECTION TO THE ABSTRACT

At numbered paragraph 3, the abstract was objected to because it begins with language that can be implied. Appropriate correction has been made to the abstract. Withdrawal of the foregoing objection is requested.

CLAIM OBJECTION

At numbered paragraph 4, claim 29 was objected to because the claim depends on itself. Appropriate correction has been made to claim 29. Withdrawal of the foregoing objection is requested.

REJECTIONS UNDER 35 U.S.C. § 103

At numbered paragraph 6, claims 1-35 were rejected under 35 U.S.C. 103(a) as being unpatentable over Sullivan et al. (US 6,615,240) (hereinafter "Sullivan") in view of Friedland et al. (US 6,449,601) (hereinafter "Friedland").

Sullivan discusses technical support chain automation with guided self-help capability and option to escalate to live help including a client 10, a server 12 and a computer network 14. Sullivan, Figure 1.

Friedland discusses a distributed live auction over the Internet to remote bidders where plural clients are connected to a server. The auctioneer initiates bidding on a choice lot on a

per-item price basis, eventually establishing a price point. The high bidder may select which items he or she wants from the inventory at that price point. Friedland, column 2, lines 12-17. In Friedland, each remote bidder interacts with a client program running on a remote computer. The client program allows the remote bidder to log into a distributed live auction ("DLA") system in order to register as a remote bidder for a particular live auction. At the time that the live auction is conducted, the remote bidder interacts with the client on the remote computer in order to follow the course of the real-time, live auction, and to submit bids. The remote bidder receives status updates concerning the bidding, lot state, and lot sequencing from the live auction via a graphical user interface provided on the remote computer by the client program, and may interact with the graphical user interface in to submit bids for a particular lot. Friedland, column 3, lines 9-22.

Claims 1-6 and 14-19

Amended claims 1 and 14 recite: "...a point value display section for displaying a point value sequentially changing independently from one or more other client machines as a time available in a regular service passes by when said tentative service utilization section is utilizing..." Support for these amendments may be found in Figure 5 of the present application. As stated in the Office Action, Sullivan does not disclose a point value recitation. Friedland, however, does not cure this deficiency in Sullivan. In contrast to amended claims 1 and 14, Friedland discusses a remote bidder receiving status updates concerning the bidding, lot state, and lot sequencing from the live auction via a graphical user interface provided on the remote computer by the client program. Amended claims 1 and 14 recite displaying a point value sequentially changing independently from one or more other client machines.

Claims 2-6 and 15-19 are dependent on claims 1 and 14, respectively, and are therefore believed to be allowable for the reasons discussed above. Further, claims 2-6 and 15-19 recite features that patentably distinguish over Sullivan and Friedland, taken alone or in combination. For example, claim 2 recites that the point value display section displays a point value sequentially increasing as time passes by when the tentative service utilization section is utilizing the tentative service.

Withdrawal of the foregoing rejection is requested.

Claims 7-13

Amended claim 7 recites: "...wherein said regular service providing section is adapted to provide a service independently from one or more other client machines corresponding to a point value that corresponds to the tentative service provided by said tentative service providing section for a time lapse up to a moment when the procedure made by the client machine was accepted by said regular service utilization procedure accepting section." Support for this amendment may be found in Figure 5 of the present application. As stated in the Office Action, Sullivan does not disclose a point value recitation. Friedland, however, does not cure this deficiency in Sullivan. In contrast to amended claim 7, Friedland discusses a remote bidder receiving status updates concerning the bidding, lot state, and lot sequencing from the live auction via a graphical user interface provided on the remote computer by the client program. Amended claim 7 recites providing a service independently from one or more other client machines corresponding to a point value.

Claims 8-13 are dependent on claim 7 and are therefore believed to be allowable for the reasons discussed above. Further, claims 8-13 recite features that patentably distinguish over Sullivan and Friedland, taken alone or in combination. For example, claim 8 recites that the regular service providing section is adapted to continuously provide the regular service to the client machine whose procedure was accepted by the regular service utilization procedure accepting section.

Withdrawal of the foregoing rejection is requested.

Claims 20-26

Amended claim 20 recites: "...wherein said regular service providing section provides the service independently from one or more other client machines according to a point value corresponding to the tentative service provided by said tentative service providing section for a time lapse up to a moment when the procedure made by said client machine was accepted by said regular service utilization accepting section." Support for this amendment may be found in Figure 5 of the present application. As stated in the Office Action, Sullivan does not disclose a point value recitation. Friedland, however, does not cure this deficiency in Sullivan. In contrast to amended claim 20, Friedland discusses a remote bidder receiving status updates concerning the bidding, lot state, and lot sequencing from the live auction via a graphical user interface provided on the remote computer by the client program. Amended claim 20 recites providing a

service independently from one or more other client machines according to a point value.

Claims 21-26 are dependent on claim 20 and are therefore believed to be allowable for the reasons discussed above. Further, claims 21-26 recite features that patentably distinguish over Sullivan and Friedland, taken alone or in combination. For example, claim 25 recites that the point value updating section is adapted to sequentially increase the point value for the client machine as time passes by when the tentative service providing section is providing the client machine with the tentative service.

Withdrawal of the foregoing rejection is requested.

Claims 27-31

Amended claim 27 recites: "...calculating a point value independently from one or more other user machines corresponding to said tentative service utilization time lapse up to a moment when said regular service utilization procedure was accepted..." Support for this amendment may be found in Figure 5 of the present application. As stated in the Office Action, Sullivan does not disclose a point value recitation. Friedland, however, does not cure this deficiency in Sullivan. In contrast to amended claim 27, Friedland discusses a remote bidder receiving status updates concerning the bidding, lot state, and lot sequencing from the live auction via a graphical user interface provided on the remote computer by the client program. Amended claim 27 recites calculating a point value independently from one or more other user machines.

Claims 28-31 are dependent on claim 27 and are therefore believed to be allowable for the reasons discussed above. Further, claims 28-31 recite features that patentably distinguish over Sullivan and Friedland, taken alone or in combination. For example, claim 29 recites that the calculated point value is displayed at the user machine provided with the tentative service when the user machine is being provided with the tentative service.

Withdrawal of the foregoing rejection is requested.

Claims 32-35

Amended claim 32 recites: "...a point value display section for displaying a point value sequentially changing independently from one or more other client machines as a time lapse available in the regular service passes by when said tentative service utilization section is utilizing the tentative service..." Support for this amendment may be found in Figure 5 of the

present application. As stated in the Office Action, Sullivan does not disclose a point value recitation. Friedland, however, does not cure this deficiency in Sullivan. In contrast to amended claim 32, Friedland discusses a remote bidder receiving status updates concerning the bidding, lot state, and lot sequencing from the live auction via a graphical user interface provided on the remote computer by the client program. Amended claim 32 recites a point value display section for displaying a point value sequentially changing independently from one or more other client machines.

Claims 33-35 are dependent on claim 32 and are therefore believed to be allowable for the reasons discussed above. Further, claims 33-35 recite features that patentably distinguish over Sullivan and Friedland, taken alone or in combination. For example, claim 34 recites that the point value display section displays the point value sequentially decreasing as time passes by when the tentative service utilization section is utilizing the tentative service.

Withdrawal of the foregoing rejection is requested.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.


Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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